UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/CN.4/Sub.2/2000/18
21 July 2000

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Sub-Commission on Promotion
and Protection of Human Rights
Fifty-second session
Item 5 of the provisional agenda

THE IMPLEMENTATION OF HUMAN RIGHTS WITH REGARD TO WOMEN

Report of the Secretary-General on the situation of women and girls in Afghanistan, submitted in accordance with Sub-Commission resolution 1999/14

CONTENTS

		Paragraphs	Page
Introduction		1 - 2	2
I.	HUMAN RIGHTS OF WOMEN AND GIRLS IN AFGHANISTAN	3 - 19	2
A.	Overview of reports	3 - 17	2
B.	Relaxation of restrictions	18 - 19	5
II.	PRINCIPAL AREAS OF CONCERN	20 - 50	5
A.	Health	21 - 30	5
B.	Education	31 - 41	7
C.	Employment	42 - 45	9
D.	Freedom of movement	46 - 50	10
III.	THE SITUATION OF WOMEN AND GIRLS IN AREAS CONTROLLED BY THE UNITED FRONT	51 - 54	10
IV.	UNITED NATIONS PROGRAMMES AND STRATEGIES	55 - 62	11
V.	CONCLUSIONS AND RECOMMENDATIONS	63 - 71	13

GE.00-14356 (E)

Introduction

1. In its resolution 1999/14 the Sub-Commission on the Promotion and Protection of Human Rights decided to continue consideration of the question of the situation of women and girls in Afghanistan at its fifty-second session under the same agenda item and requested the Secretary-General to continue to make available all the information that could be compiled on the question.

2. The present report covers the main developments in the situation of women and girls in Afghanistan since the issuance of the last report, on 14 July 1999 (E/CN.4/Sub.2/1999/13). The information contained in section IA below has been largely taken from recent reports of the Special Rapporteur on the situation of human rights in Afghanistan and the Special Rapporteur on violence against women, its causes and consequences. The rest of the report draws heavily on data provided by the United Nations agencies and non-governmental organizations working in the field.

I. HUMAN RIGHTS OF WOMEN AND GIRLS IN AFGHANISTAN

A. Overview of reports

3. Overall, the situation of women and girls has largely remained unchanged in the past year. The rights of women and girls continue to be violated as a result of years of armed conflict, poverty and profound underdevelopment. Afghanistan is currently in the grip of its worst drought since 1971. Women are among the most seriously affected populations of livestock owners. Lack of savings or assets and a high level of dependence on agriculture and livestock-raising mean that many families have no resources to fall back on. Although traditional and customary gender discrimination has always existed in Afghanistan the situation has been severely aggravated by the institutionalized gender discrimination imposed by the Taliban authorities. The continuing reports of violations from persons monitoring Afghanistan indicate the gravity of the human rights situation of women and girls and the need for urgent international action.

4. At the invitation of the Governments of Pakistan and Afghanistan, the Special Rapporteur on violence against women, its causes and consequences, visited Pakistan and Afghanistan in September 1999 to study the issue of violence against Afghan women. The Special Rapporteur found official, widespread and systematic violations of the human rights of women in Afghanistan aggravated by conditions of poverty and war. The Special Rapporteur reports that in Taliban controlled areas of Afghanistan, discrimination against women is officially sanctioned and pervades every aspect of the lives of women.[1] They are subject to grave indignities in the areas of physical security and the rights to education, health, freedom of movement and freedom of association.

5. The Special Rapporteur reports that, in urban areas, particularly in cities such as Kabul, Herat and Mazar, though war-related physical abuse has decreased, the female population is under threat from the official apparatus dealing with violations of edicts enunciated by the Taliban Ministry for the Propagation of Virtue and the Suppression of Vice. She reports that

members of the Ministry assault women who violate these edicts with instruments that look like leather cricket bats. This is done on the spot without a right to be heard or any due process. The arbitrary nature of these beatings raises serious questions of human rights and goes to the heart of women's physical security and well-being.

6. In addition to arbitrary public beatings on the street, the Special Rapporteur reports that women who violate the Hudood Ordinance with regard to questions of morality, including adultery and fornication, are publicly lashed at the stadium in front of large crowds. Officials of the Taliban Ministry of Justice told the Special Rapporteur that these punishments would continue. The ease with which women are punished for adultery and fornication contrasts with the difficulty that women have in proving rape when it occurs. They need the testimony of four witnesses in addition to the normal evidentiary requirements. If they fail to prove rape in a context where sexual intercourse has taken place, they, the victims, may end up being flogged for fornication or adultery. Given that there have been enormous developments in law at both the international and national level to protect women victims of rape, the structure of rape laws in Afghanistan raises serious questions regarding the violation of women's human rights.

7. The Special Rapporteur also heard allegations of the clandestine trafficking of women and of the mistreatment of women from minority communities.

8. While noting some improvements, the Special Rapporteur on violence against women called attention to a systematic pattern of violation of women's rights, and described the changes as paltry, incremental changes. The Special Rapporteur described the situation as appalling, and forcefully argued that the international community must do everything within its power to ensure that the government that rules Afghanistan abides by minimum standards of women's human rights. Although not advocating the cutting off of humanitarian aid, she had no doubt that all other mechanisms at the disposal of the international community should be used.

9. The Special Rapporteur on the situation of human rights in Afghanistan reports[2] that there has been no significant improvement as far as the rights of women are concerned. She notes that the Taliban authorities have allowed the employment of needy widows, which amounts to some improvement, but nevertheless constitutes an exception. The Special Rapporteur reports that women continue to be denied access to education, health and employment; women's freedom of movement continues to be severely curtailed, with little access to employment or education; the Taliban continue to enforce its edicts with unabated severity, including stoning, lashing and other forms of inhuman punishment. The summary enforcement of edicts has included the beating of women for infractions of the "chadari" (dress requirement).

10. The Special Rapporteur on the situation of human rights in Afghanistan reports that women's prisons exist in Kandahar, Kabul, and Mazar-I-Sharif and possibly in Jalalabad. Many women from the Hazarajat and Bamyan regions (Hazaras), from the Mazar-I-Sharif and Pul-I-Khumri regions in the north (Hazaras and Tajiks), and from the Shamali and Panjshir regions (Tajiks) are reportedly held captive without official reason in these prisons.

11. According to information received by the Special Rapporteur, when the Taliban took over territory in central and northern Afghanistan, many Hazara and Tajik women and girls were

abducted in the villages and taken directly from houses by force. A policy of separating families was applied, Hazara and Tajik women from the Mazar-I-Sharif, Pul-I-Khumri and Shomali regions were rounded up in trucks. Most of these women have not returned to their villages. Trafficking of women and girls to Kandahar, Jalalabad and Pakistan was reported.

12. The Special Rapporteur also reports that women from the Kabul, Mazar-I-Sharif and Shamali regions have given accounts of many instances of forced marriages. The Taliban reportedly enter houses in Kabul and in new territory they conquer and force the families of young girls and women to conclude a "Nikah" (marriage contract) and thus marry them to Taliban members or to give them a large sum of money instead. When families refuse, they take the women and girls away by force. It is reported that many families in the Shamali region have sent their daughters away with internally displaced persons heading towards Kabul and with refugees to Pakistan, fearing forced marriages and abduction by the Taliban.

13. Lastly, the Special Rapporteur reports that many refugees are said to have encountered Urdu-speaking men in positions of authority during the fighting in the north, as well as in Kabul and Kandahar. Many report that these non-Afghans (including Pakistanis and Arabs) are involved in human rights violations committed against women and ethnic minorities.

14. Non-governmental organizations (NGOs) report[3] that women are systematically targeted by the Taliban and other warring factions on the basis of their identity. As in previous years, women have been forced to comply with the discriminatory policies of the Taliban, who have imposed severe restrictions on their education, employment and freedom of movement. Tens of thousands of women effectively remain prisoners in their homes, with no scope to seek the removal of these restrictions. Women who have defied them have been subjected to systematic ill-treatment.

15. NGO reports[4] suggest that violence against women continued throughout the country during 1999 at all levels of Afghan life, from the level of the household upward. The enforced seclusion of women within the home greatly limited the information available on domestic violence and marital rape. However, in a climate of secrecy and impunity, it is likely that domestic violence remains a serious problem.

16. The Commission on Human Rights, in its resolution 2000/18 on the situation of human rights in Afghanistan, expressed deep concern about the deteriorating economic and social conditions of women and girls in all areas of Afghanistan, in particular in areas under Taliban control, as documented by the continued and substantiated reports of grave violations of the human rights of women and girls, including all forms of discrimination against them, such as restrictions on access to health care, to many levels and types of education, to employment outside the home and, at times, to humanitarian aid, as well as restrictions on their freedom of movement. The Commission strongly condemned the mass killings and systematic human rights violations against civilians and persons deprived of their liberty for reasons related to the armed conflict, including in the areas of Mazar-I-Sharif, Bamyan, Shiberghan and Maimana, and noted with alarm the resumption by the Taliban of the wider conflict during the past summer, especially in the Shamali Plains, resulting in the massive, forced displacement of the civilian population, in particular of women and children.

17. At the 4055th meeting of the Security Council, held on 22 October 1999, in connection with the Council's consideration of the item entitled "The situation in Afghanistan", the President of the Security Council made the following statement on behalf of the Council:

> "The Security Council deplores the worsening human rights situation in Afghanistan. The Council underlines the unacceptability of forced displacement of the civilian population, in particular that conducted by the Taliban during their recent offensive, summary executions, the deliberate abuse and arbitrary detentions of civilians, violence and continuing discrimination against women and girls, the separation of men from their families, the use of child soldiers, the widespread burning of crops and destruction of homes, the indiscriminate bombing and other violations of human rights and international humanitarian law in Afghanistan. It calls upon all Afghan parties, especially the Taliban, to put an end to such practices, to adhere to the international norms and standards in this sphere, to take urgent measures to improve the human rights situation and, as an immediate first step, to ensure the protection of civilians."[5]

B. Relaxation of restrictions

18. There has been some easing of restrictions in some parts of Afghanistan, particularly in terms of women's and girls' access to health services, education and employment opportunities. The shift is in part due to an increased demand from local communities for health and education for girls and women and for income-generating employment for women, especially for war widows heading households. United Nations agencies are continuing to pursue these and related issues in Joint Consultative Committee discussions and at the local level.

19. For the first time since 1996, International Women's Day was publicly celebrated on 8 March 2000 in Afghanistan. A formal celebration took place in the capital, 700 women of all ages, including former university professors, engineers, teachers, doctors, nurses and school principals, attended the celebration. Radio Sharia (the Taliban official radio) covered the celebration. Furthermore, a representative of Mullah Omar, the Taliban leader, made a statement, the first time the Taliban leadership has addressed women in public. Afghan women throughout the country took advantage of their first opportunity in four years to discuss issues of concern to them.[6] Other developments are detailed below under the relevant headings in section II.

II. PRINCIPAL AREAS OF CONCERN

20. The Commission on Human Rights, in its resolution 2000/18, expressed concern about the severe situation of women and girls in Afghanistan, in particular in regard to the restrictions on access to health care, to education, to employment and freedom of movement. The following section contains information received in regard to these principal areas of concern since the issuance of last year's report.

A. Health

21. The Special Rapporteur on the situation of human rights in Afghanistan cited basic health indicators[7] which reflect the alarming health situation of Afghan women and children: life

expectancy rates are estimated at 44 years for women and 43 for men. Afghanistan has the second highest mortality rate in the world. Every day about 46 women die of pregnancy-related causes, resulting in over 16,000 maternal deaths annually. Tuberculosis rates for women are among the highest in the world: there are approximately 123,000 cases, 70 per cent of which are females between the ages of 15 and 45. Only 15 per cent of deliveries in Afghanistan are attended by trained health workers, most of whom are traditional birth attendants.

22. UNICEF reports[8] that almost no gender gap exists in immunization rates for boys and girls. However the TT (tetanus and typhoid) coverage rate for women has dropped from 37 per cent in 1996 to only 17 per cent in 1999 and this is thought to be largely due to the various restrictions on women. It may mean an increase in neonatal deaths due to tetanus, as their mothers are not able to provide newborn babies with protection through having been immunized themselves.

23. The United Nations Gender Adviser reports[9] that the existing health infrastructure is urban biased. Where hospitals, health units and public and private medical services are available, they are located in towns. Rural areas suffer from the lack of basic medical services and the narrow access to health facilities in urban areas due to rural poverty and the destruction of the country's road network.

24. The health situation of women and girls is further aggravated by the complete segregation in the provision of health services for males and females. This has enormously curtailed women's access to these services, especially when there is only a very small number of female doctors and trained nurses practising under severe restrictions in hospitals.

25. Despite the lack of statistics on drug use among women, the Gender Adviser states that there is strong evidence that the number of drug addicted females is increasing both in and out of drug producing provinces and in refugee camps. Women are using drugs as an alternative to medicines, but also for psychological reasons.

26. The Special Rapporteur on violence against women reports[10] that an aspect of the right to health that seriously disturbs her is the problem of mental health. Women doctors in Kabul confirmed that it is a serious problem. The Taliban edicts that confine women to the home, combined with the realities of war, have made living a difficult and depressing survival for women. Although this has to be investigated further, the high proportion of mental illness among women in Kabul is of serious concern and should be addressed by the authorities, as well as by the international community.

27. UNHCR reports that among returnees in both 1999 and 2000 (up to April), the majority of whom are women and children returning to rural areas, access to health services is comparatively high: 54 per cent of the returnee families interviewed in 1999 had access to health care. The main requirement among women returnees is for traditional birth attendants (TBAs). Aid agencies are concentrating on meeting this demand by offering training of TBAs.

28. In the past 18 months, there has been a slight shift in the Taliban's position on access of women to health services.

29. In 1999, approximately 40 female medical students, who were forced to leave Kabul University before receiving their medical degrees, were allowed to continue their education. In the first quarter of 2000, the authorities in Kandahar agreed, after lengthy negotiation with the World Food Programme (WFP), the World Health Organization (WHO) and the United Nations Gender Adviser, to start a nursing school in Kandahar for 50 female and 50 male nurses. Since 1998, increasing numbers of female nurses, vaccinators and traditional birth attendants are being trained by the assistance community and are currently working in both rural and urban areas.[11] The nursing school for women in Herat was reopened during the same quarter of 2000, through assistance from WHO and WFP.

30. UNICEF and WHO have succeeded in involving a slightly larger number of health female staff in its women's health project - in particular the Safe Motherhood Initiative - in the past year. The maternal mortality rate for Afghanistan is estimated to be 1,700 per 100,000 which is the second highest rate in the world. The Safe Mother Initiative is being implemented by UNICEF in Logar, Laghman, Farah and Balkh, while WHO is implementing it in Kabul, Nanghar, Kandahar and Badakhstan. This initiative requires considerable community involvement and advocacy - including that of the clergy. However it is well recognized that the restrictions on women (including those of mobility, conditions of employment and education) continue to affect health programmes in general, and those targeting women in particular. The scarcity of health education opportunities is another problem. UNICEF has also been able to increase the number of female social mobilizers who provide very effective house-to-house visits and disseminate information on health, education and the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women. The female social mobilizers deal with daily and regular restrictions and hardships in fulfilling their duties and responsibilities. In addition to UNICEF, the United Nations Population Fund is strengthening the essential obstetric care component and referral services at clinics in Badakhstan, Laghman, Panjshir and Takhar. The services focus on women who continue to bear a heavy burden of death and morbidity related to childbearing.

B. Education

31. The Gender Adviser reports[12] that the education sector is characterized by limited human and financial resources, the absence of a national education policy and curricula at pre-university levels, the unpreparedness of the authorities to rehabilitate destroyed school buildings and facilities and the discriminatory official policies banning access of female students to all levels of education in Taliban controlled areas.

32. Education in Afghanistan is provided by government religious and regular schools, as well as by alternative delivery mechanisms established by the assistance community. Government managed schools provide education only for boys in the Taliban ruled areas.

33. The position of principle of the United Nations system on equality of access of males and females to education has been a guiding principle in United Nations negotiations with the authorities, at all levels. However, no significant progress in improving access and gender equality in formal education has yet been achieved.

34. Externally supported education programmes (especially in rural areas) provide education to an estimated 7 per cent of a total of 4.4 million children of primary school age. Agencies have adopted a variety of approaches to reach both boys and girls. Community-based schools in rural areas and home-based schools in urban areas are supported, in addition to formal schools. Consequently, there have been modest increases in enrolments.

35. In 1999, there was an increase in the number of community- and home-based schools for girls in various parts of Afghanistan.

36. The total destruction of the educational infrastructure has had an effect on girls' schooling in most parts of the country, including areas where the Taliban's ideology is less restrictive. The "brain drain" from Afghanistan, through immigration to neighbouring countries, has greatly depleted the number of teachers available.[13]

37. UNHCR reports that, among returnees and in communities to which refugees have returned, the demand for education, including for girls, is generally great. Among the returnee families interviewed by UNHCR in 2000, however, only 25 per cent of the families have one or more of their children, boys or girls, attending classes. The reasons for this low attendance rate are said to be the lack of schools, qualified teachers and textbooks, economic reasons which necessitate children supporting their families and the restrictive policy of the authorities towards girls' education. Most of the returnees confirmed that their children, including the girls, had attended primary school in exile, and the overwhelming majority confirmed that they would send their children, including the girls, to school if they received support to enable them to do so.

38. UNICEF continues to maintain its principle-based stand of not supporting the Taliban official education system because it discriminates against girls and women. There has been progress in the area of informal/home-based and community-based education.

39. Education is one of the priorities for discussion at the Joint Consultative Committee (JCC) meetings between the Taliban authorities and the United Nations. Regrettably, little progress has been made at the policy level. However, non-formal home-based schools for girls and boys have emerged in many locations in Afghanistan and are being supported by a number of assistance agencies, including NGOs. In rural areas, the Taliban is often more responsive to the demands of local communities for formal education. In addition, support to the BBC/Reach project (radio education for Afghan children) and to BBC/AEP (radio awareness and education programme) continues through UNICEF and other agencies.[14]

40. The Special Rapporteur on violence against women reported[15] that, as a result of pressure from the international community and the local population, certain minor changes have taken place. The Taliban Ministry of Education informed the Special Rapporteur that there are now primary schools for girls aged 6 to 10, run by the Ministry of Religious Affairs. However, there was a refusal to state that there would be secondary and tertiary education for women. There was also no explanation why the schools for girls were run by the Ministry of Religious Affairs and not the Ministry of Education. The Special Rapporteur visited one school located in a mosque where the students were chanting verses from the Koran. The textbooks included sections on very elementary mathematics and science, the illustrations for these books included torpedoes and guns - indicating a certain acceptance of the culture of war.

41. The Special Rapporteur emphasized that the Taliban's lack of official commitment to educating girl children is a violation of international law and Afghanistan's commitments under the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination Against Women and the Convention on the Rights of the Child. This serious allegation was confirmed by her meeting with Taliban officials. The Special Rapporteur on violence against women stressed that unless these attitudes and policies change, the Taliban controlled areas of Afghanistan will remain in serious breach of Afghanistan's international obligations.

C. Employment

42. The Gender Adviser reports[16] that at the present time Afghanistan has no formal economic sectors. Agriculture and small home-based crafts provide the only opportunities for women's employment. Female employment opportunities are limited to carpet weaving, tailoring, embroidery, soap making, candle making, poultry raising, honey production and bakery activities. The assistance community has been involved in projects creating this type of employment and some of their projects have had an impact on the lives of women and their families in terms of providing them with a subsistence income. Most of the projects are home-based and employ only a few women, and use no technology or manual technology, which limits the value added of production. Women have no access to markets, owing to their confinement, which leads to their exploitation by male middlemen, except in cases where NGOs take responsibility for the final marketing of their production.

43. During 1999 and the first quarter of 2000, the assistance community (United Nations agencies and NGOs) managed to create short-term employment opportunities in their programmes for groups of women in several parts of the country. Afghan women were employed as doctors, midwives, nurses, vaccinators, social mobilizers, surveyors and engineers. WFP provided long-term and short-term employment for women in bakeries projects.

44. A disturbing new development concerning women's employment has been the issuing of a new edict on 6 July 2000 by the Taliban Vice-Minister of Planning to the effect that women are no longer allowed to work with non-governmental or United Nations agencies. The Ministry of Planning followed up its announcement with letters to all aid agencies in the country. (While women are restricted from working in the Taliban-controlled areas of Afghanistan, in the past exceptions have been made for women working in the health and other essential sectors within national and international organizations.) Further, reportedly, the Taliban's religious police arrested a United States citizen who had been working with Afghan widows through an organization she founded, Physiotherapy and Rehabilitation Support for Afghanistan (PARSA). Seven Afghan women working for her were also arrested. The United Nations Coordinator travelled to Kandahar to seek clarification on the issue from the authorities and to try to avert the negative impact the implementation of the edict would have on the provision of humanitarian aid. At the time of finalization of the present report, the United Nations Coordinator and the Gender Adviser are conducting negotiations to stop the implementation of this edict.

45. Disturbing reports have been received of the wholesale dismissal of female civil servants from government service. The Taliban Foreign Minister reportedly gave the explanation that a lack of economic resources had forced the Taliban to eliminate a large number of positions in the

civil service and that had a particularly negative impact on women, since they were receiving a salary without working. It may be recalled that following strong protests by the international community about the wholesale dismissal of female employees shortly after the Taliban took control of Kabul, female employees had been able to continue to draw salaries without being allowed to perform their functions.

D. Freedom of movement

46. The Special Rapporteur on violence against women reports[17] that women are largely confined to the home in the urban areas. If they leave the house, they must wear a "burqa" or "chadari" (an all-enveloping dress requirement) and they must be accompanied by a "mahram" (male relative). Women cannot take taxis except with a male relative and they cannot go to hotels and other public places of entertainment. Their personal life is deeply affected, as is their social life.

47. The Special Rapporteur reports that, as a result of their lack of freedom of movement, women are also denied freedom of association. There are no social activities for women, not even religious social activities. The closing of the Mazar shrine to women on Wednesdays (women's day) further restricts women's movements, as well as their right to practise their religion. Women have no access to sports or leisure. They have no right to form political or community groupings. There is fundamentally, no civil society and women are denied civil or political rights. They cannot associate in large groups or engage in group activities by themselves or with men. The resulting lack of communal solidarity is another reason why women appear to suffer such high rates of mental health problems.

48. In the rural areas, these edicts are applied less effectively. When the Special Rapporteur visited, women were working in the fields in shawls and not in "burqas" and the Special Rapporteur saw many women unaccompanied by male relatives, in comparison to Kabul and other cities where the edicts are strictly enforced.

49. There has been some easing of restrictions in some parts of Afghanistan on the mobility of women and girls, particularly in terms of their access to the limited health care and educational facilities that are available.

50. The relaxation (rather than withdrawal) of the "mahatma" edict for non-Afghan Muslim female staff was noted with appreciation in the past year as a step in the right direction. The Taliban authorities issued the first visa to a non-Afghan Muslim woman in June 1999. Since then four visas were issued to internationally recruited Muslim women in the United Nations system. In the September 1999 JCC meeting, the authorities showed signs of relaxing the edict on a case-by-case basis. United Nations agencies are continuing to pursue these and related issues.

III. THE SITUATION OF WOMEN AND GIRLS IN AREAS CONTROLLED BY THE UNITED FRONT

51. There is a notable paucity of reporting and information on the situation of women and girls in the territory controlled by the United Front (formerly called the Northern Alliance).

There is a need to strengthen the monitoring and evaluation of the promotion and protection of the human rights of women and girls who reside in these areas and who are rarely heard.

52. The Gender Adviser reports that, despite the different position at the policy level taken by the Taliban and the United Front, women in the region controlled by the latter also suffer from narrow access to education, health services and income generating employment. The region controlled by the United Front has historically been the poorest region of Afghanistan. Continued civil wars and cultural norms and codes of conduct further aggravate the situation of women in the region. Nonetheless, she notes that there are more windows of opportunity for girls' education in this region if the resources were made available.[18]

53. The Special Rapporteur on violence against women visited Faizabad, which is under United Front control, during her visit to Afghanistan in 1999. The Special Rapporteur reports[19] that, during her visit, she was shown schools where girls studied up to the university level. She was also shown health facilities for women in the Faizabad hospital. Although the conditions were substandard in terms of infrastructure, there did not appear to be gender discrimination in the areas of education and health.

54. UNICEF supports the formal education system in United Front controlled areas, where no official gender discrimination against girls' schooling exists.

IV. UNITED NATIONS PROGRAMMES AND STRATEGIES

55. The United Nations Coordinator's Office gender action plan includes engaging in a dialogue with civil society, technical departments, and religious and political leaders with the aim of identifying opportunities for gender-related interventions inside Afghanistan. This engagement should lead to the identification and utilization of a number of entry points for increasing women's mobility and their access to social services and alleviating the poverty of women-headed families through income-generating employment.

56. According to the OCHA Afghanistan Appeal 2000, during 1999 the assistance community pursued a common and multisectoral approach to the provision of social services and goods. Emphasis was placed on agreeing and following minimum standards. Efforts were made to promote communities' participation and ownership in defining programming priorities. Initiatives taken in 1999 in education (basic competencies), in health (the Logar primary health-care model) and in water/sanitation (community hand-pump water supply and sanitation guide for Afghanistan) provide encouraging evidence of the success of this strategy. However, access to education, and the quality of education being offered, remain poor at all levels. Girls remain officially excluded from formal education in the Taliban areas.

57. To improve their quality of life, efforts are essential to ensure that all Afghans benefit equally from mainstream development activities. To address the socio-economic integration of vulnerable groups, planned projects focus on building capacities of vulnerable groups through vocational training and micro-credit.

58. To improve the quality of existing social services, minimum standards and capacity-building of relevant institutions are required. Emphasis is placed on links between

different social sectors in order to achieve greater impact. For instance, safe water supply, sanitation and hygiene education are crucial to lower morbidity and mortality rates. One of the priorities for addressing this particular issue is to strengthen approaches for sustainable solutions in the social sectors that promote gender equity and respect for basic human rights. While current programmes address issues of human rights and gender equity, more effort is needed to assist women whose basic rights are not realized. The following priorities have been identified: to strengthen reproductive health and emergency obstetric care at referral health facilities and to support alternative ways of providing education for children and youth (home-based schooling, community-based schooling, out-of-school children's education, etc.) The poorest/most vulnerable households in rural and urban areas will be targeted. These include widows and female-headed households.

59. The PEACE (Poverty Eradication and Community Empowerment) programme,[20] operating in the "grey zone" between relief, rehabilitation and development, is part of this process. Through encouraging local community empowerment, and working with a long-term view, the PEACE programme is working towards improving human welfare by integrating humanitarian, rehabilitation, development, gender and human rights activities; strengthening local capacities for income generation and food security; and improving local governance by strengthening community, NGO and private sector capacities.

60. With a multisectoral approach, the PEACE programme has worked in the areas of local infrastructure, basic social services and agriculture. In 26 focus districts throughout Afghanistan, 2,100 community organizations were formed or strengthened (of which 8 per cent were women's groups). More than 14,000 households were provided with safe drinking water, 85 community revolving funds were established; 40,000 metric tonnes of improved seeds were produced and distributed, 34,000 disabled people (of whom 35 per cent were women) received help, and 25 million animals were vaccinated/treated.

61. UNICEF, like other agencies, continues to be restricted in its access to Afghan women and girls as a result of restrictions on female employment within its own offices. UNICEF currently only has one female Professional staff member working within Afghanistan, under considerable difficulty. This issue is being negotiated with the authorities through the Joint Coordinating Committee process. UNICEF's Afghan female assistant programme officer for health, who is based in Islamabad, was able to travel and conduct training sessions inside Afghanistan, accompanied by her "mahram" (male relative) and under somewhat difficult circumstances. Workshops for capacity-building and programme planning are usually held in Peshawar owing to the restriction on men and women attending the same meetings in Afghanistan.

62. During the period January to December 1999, UNHCR conducted 3,270 interviews with heads of returnee households, covering a total of 18,798 returnees. Of the interviewed returnees, 77 per cent had returned from Pakistan and 23 per cent from Iran. Generally, 82 per cent of the returnees are women and children (up to the age of 18). Of the total number of returnees, 22 per cent are children below school age, 27 per cent are between 6 and 12, and 13 per cent are between 13 and 18 years old. The majority of children of school age do not attend school. Of the interviewed heads of returnee families, 97 per cent were

male. In most cases, women heads of household depend on income generated by their male (minor) children and other relatives.[21] In 2000 (January-April) the situation remains similar to 1999: among 1,136 returnee families interviewed, 80 per cent of the returnees are women and children; 20 of the returnee families (2 per cent) were headed by a woman.

V. CONCLUSIONS AND RECOMMENDATIONS

63. The human rights situation for women and girls in Afghanistan remains extremely serious. Disturbingly the situation continues to be aggravated by the undeclared policy of gender discrimination in the country. Close monitoring by the Special Rapporteur on the situation of human rights in Afghanistan, the Special Rapporteur on violence against women, other extra-conventional United Nations mechanisms and the international community is advisable.

64. Within the current operating environment small positive developments are noteworthy. In any other country, they would be marginal; however, in the Afghanistan context they are improvements and a tribute to the hard work of all those involved in promoting women's and girls' rights. While there have been encouraging moves to relax the restrictions imposed on the rights of women in certain areas, they, nevertheless, only address limited aspects of the overall problem. It must be borne in mind that these developments are the exception and widespread and systematic gender discrimination is still the norm in Afghanistan. The international community must continue to call for the repeal of all edicts and the end to all forms of gender discrimination. The ruling party in Afghanistan must abide by international minimum standards of women's human rights.

65. All armed groups in Afghanistan must respect fundamental human rights, particularly those of women, in accordance with international human rights standards and humanitarian law.

66. All Afghan parties, in particular the Taliban, should bring to an end without delay all violations of the human rights of women and girls and take urgent measures to ensure: the repeal of all legislative and other measures which discriminate against women; the effective participation of women in civil, cultural, economic, political and social life throughout the country; respect for the right of women to work, and reintegration of women in their employment; the right of women and girls to education without discrimination; the reopening of schools and the admission of women and girls to all levels of education; respect for women's right to security of person and that those responsible for physical attacks on women are brought to justice; respect for women's freedom of movement and effective and equal access to facilities necessary to protect their right to the highest attainable standard of physical and mental health.

67. The United Nations Gender Adviser's report[22] stresses that the United Nations system must take a principled stand on the issue of women's employment. There is a need for the United Nations system in Afghanistan to: (a) reconsider its female recruitment policies and develop time-bound targets to employ more Professional internationally recruited women; (b) give high priority, in its negotiations with the authorities to solving the current problems facing national female staff who have almost no access to office space, office logistics and sometimes need to use taxis, rather than agency cars to perform their duties; and (c) regulate, follow up and monitor the gradual relaxation of the Mahatma Edict.

68. The United Nations Gender Adviser also requests that, where possible, assistance aid should allow for medium-term programming. Medium-term involvement is necessary for gender issues to be addressed as they require long-term processes of structural change at the social and cultural levels.

69. The Commission on Human Rights, in its resolution 200/18 on the situation of human rights in Afghanistan, recommended that: (a) a gender perspective should be applied in the selection of the staff of the United Nations Special Mission to Afghanistan in order to enhance the role of women in preventive diplomacy, peacemaking and peacekeeping; (b) all United Nations-assisted programmes in Afghanistan should be formulated and coordinated in such a way as to promote and ensure the participation of women in those programmes, and that women benefit equally with men from such programmes.

70. There is a need to monitor and evaluate the promotion and protection of the human rights of women and girls who reside in areas controlled by the United Front.

71. The international community and particularly those countries having a certain influence over the situation in Afghanistan should bring pressure to bear on the armed groups to respect women's fundamental human rights in all circumstances.

Notes

[1] E/CN.4/2000/68/Add.4.

[2] E/CN.4/2000/33.

[3] Amnesty International, Annual Report 2000 and Human Rights Watch, World Report 2000.

[4] Women's International Network News - country reports on human rights practices for 1999 (WIN NEWS 26-2 SPRING 2000).

[5] S/PRST/1999/29.

[6] United Nations summary report on the Celebration of Women's Day in Kabul, Afghanistan 2000.

[7] E/CN.4/2000/33 (data provided by WHO).

[8] Information provided by UNICEF, 2000.

[9] Gender Adviser, United Nations Coordinator's Office, The situation of women's health, education and income generation employment in Afghanistan: a gender perspective", report prepared for Afghanistan Support Group Meeting, Ottawa, 8-9 December 1999.

[10] See note 1.

[11] See note 8.

[12] See note 9.

[13] See note 8.

[14] Report of the Secretary-General on the situation in Afghanistan and its implications for international peace and security A/54/791-S/2000/205, 16 November 1999.

[15] See note 1.

[16] See note 9.

[17] See note 1.

[18] See note 9.

[19] See note 1.

[20] In January 1997, the Ashkabad International Forum on Assistance to Afghanistan concluded that peace-building should be the overriding objective of all assistance.

[21] UNHCR Afghanistan, Protection Section, February 2000.

[22] See note 9.